

1 JOSEPH P. RUSSONIELLO (CSBN 44332)  
United States Attorney

2 BRIAN J. STRETCH (CSBN 163973)  
3 Chief, Criminal Division

4 JEFFREY R. FINIGAN (CASBN 168285)  
Assistant United States Attorney

5 450 Golden Gate Avenue  
6 San Francisco, California 94102  
7 Telephone: (415) 436-7232  
Facsimile: (415) 436-7234  
8 Email: [jeffrey.finigan@usdoj.gov](mailto:jeffrey.finigan@usdoj.gov)

9 Attorneys for Plaintiff

10 UNITED STATES DISTRICT COURT  
11 NORTHERN DISTRICT OF CALIFORNIA  
12 SAN FRANCISCO DIVISION

13 UNITED STATES OF AMERICA,	)	No. CR 10-0115 WHA
	)	
14 Plaintiff,	)	STIPULATION AND <del>PROPOSED</del>
	)	PROTECTIVE ORDER RE: DISCOVERY
15 v.	)	OF FINANCIAL ACCOUNT AND
	)	IDENTITY INFORMATION
16 MARILYN INFANTE,	)	
	)	
17 Defendant.	)	
18	)	

19  
20 Defendant MARILYN INFANTE is charged with bank fraud in violation of 18 U.S.C.  
21 § 1344.

22 The United States will produce to counsel for the defendant discovery consisting of  
23 business records, financial institution records, law enforcement reports, and other records and  
24 documents. Included within this discovery is bank account information (including account  
25 numbers) and personal identity information (including, for example, names, dates of birth, social  
26 security numbers, and driver's license numbers). Because of the substantial amount of financial  
27 account and personal identity information to be produced in this case, and pursuant to Federal  
28 Rule of Criminal Procedure 16(d), the parties stipulate, and the hereby Court orders, that

STIPULATION AND ~~PROPOSED~~ INTERIM  
PROTECTIVE ORDER [CR 10-0115 WHA]

1 disclosure of these materials shall be subject to the following restrictions:

2 1. Except when being actively examined for the purpose of the preparation of the  
3 defense, all discovery containing financial account and personal identity information produced by  
4 the United States to counsel for the defendant shall be maintained in an area that is accessible  
5 only to defense counsel or other attorneys and employees of counsel's law office. Defense  
6 counsel shall not permit any person access of any kind to the discovery except as set forth below.

7 2. The following individuals may examine the discovery for the purpose of preparing  
8 the defense:

9 (a) Counsel for the defendant, and any other attorneys,  
10 paralegals, or investigators in counsel's law office;

11 (b) The defendant, but only in the presence of defendant's  
12 counsel; and

13 (c) Any outside expert retained by the defense to analyze the discovery  
14 in this matter.

15 3. A copy of this Order shall be maintained with the discovery at all times.

16 4. No other person may be allowed to examine the discovery without further court  
17 order.

18 5. All pleadings will comply with Federal Rule of Criminal Procedure 49.1  
19 regarding redaction of certain identifying information.

20 6. Within 30 days of the judgment and sentencing hearing in this matter, or within  
21 30 days of any other resolution of the case, all material provided to defense counsel pursuant to  
22 this Order, and all other authorized copies, if any, shall be returned to the United States. If an  
23 appeal is noticed and defense counsel continue to represent the defendant on appeal, defense

24 ///

25 ///

26 ///

1 counsel may continue to retain possession of the materials according to the terms of this Order  
2 until the conclusion of the matter in the Court of Appeals.

3  
4 IT IS SO STIPULATED:

5  
6 DATED: April 19, 2010

JOSEPH P. RUSSONIELLO  
United States Attorney

7  
8  
9 /s/  
JEFFREY R. FINIGAN  
Assistant United States Attorney

10  
11 DATED: April 19, 2010

12 /s/  
GARRICK S. LEW  
Attorney for MARILYN INFANTE

13  
14 IT IS SO ORDERED.

15  
16 DATED: April 19, 2010

